

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

**23-CR-99-JLS-JJM**

v.

SIMON GOGOLACK,

Defendant.

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**MOTION BY:**

Jeffrey T. Bagley, Assistant Federal Public  
Defender

**DATE, TIME & PLACE:**

Before the Honorable Jeremiah J. McCarthy, United  
States Magistrate Judge, Robert H. Jackson United  
States Courthouse, 2 Niagara Square, Buffalo, New  
York, **on the papers submitted.**

**SUPPORTING PAPERS:**

Affirmation of Assistant Federal Public Defender  
Jeffrey T. Bagley, dated June 28, 2024

**RELIEF REQUESTED:**

Adjournment of Oral Argument Date

**DATED:**

Buffalo, New York, June 28, 2024

/s/ Jeffrey T. Bagley

Jeffrey T. Bagley  
Assistant Federal Public Defender  
Federal Public Defender's Office  
300 Pearl Street, Suite 200  
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(716) 551-3341, (716) 551-3346 (Fax)  
jeffrey\_bagley@fd.org  
*Counsel for Defendant*

**TO:** Joseph Tripi, *et al.*  
Assistant United States Attorneys  
Western District of New York  
138 Delaware Avenue, Federal Centre  
Buffalo, New York 14202

UNITED STATES DISTRICT COURT  
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SIMON GOGOLACK,

**AFFIRMATION**

Defendant.

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**JEFFREY T. BAGLEY**, affirms under penalty of perjury that:

1. I am an Assistant Federal Public Defender for the Western District of New York and was assigned to represent the above-named defendant, Simon Gogolack.

2. There are several motions currently outstanding. This Court scheduled an oral argument on these motions on July 11, 2024. I am out of town that date and therefore respectfully request an adjournment until the week of July 22, 2024.

3. I have contacted the other defense attorneys in this case, and none have raised an objection to this adjournment.

4. Mr. Moscato reported that he is unavailable in the morning on July 24 and the afternoon on July 25.

5. Mr. Henry reported that he is unavailable from noon to 1PM on July 23, and 9:30 AM on July 24.

6. I acknowledge that time under the Speedy Trial Act should be excluded from July 11, up to the new date selected during the week of July 22, for purposes of continuity of counsel and in the interests of justice.

7. The government objects to the requested adjournment.

**DATED:** Buffalo, New York, June 28, 2024

Respectfully submitted,

/s/ Jeffrey T. Bagley  
Jeffrey T. Bagley  
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